

No. 70625-T

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED**

Map filed _____ DEC 10 2002 under 69302 _____

The applicant **Frehner Construction Co., Inc. & Southern Nevada Paving Inc.**, hereby make application for permission to change the point of diversion of a portion of water heretofore appropriated under Decree issued by the Eighth Judicial District Court of the State of Nevada to the waters of the Las Vegas Artesian Basin on December 13, 1999 regarding V05814.

1. The source of water is **underground**
2. The amount of water to be changed **152.5 acre feet**
3. The water to be used for **mining & milling (as decreed)**
4. The water heretofore permitted for **mining & milling (as decreed)**
5. The water is to be diverted at the following point **SW¼ SE¼ Sec. 13 T23S, R60E, MDM or at a point from which the S¼ corner of said Section 13, T23S R60E, MDM bears S 10° 31' 27" West a distance of 1,309.15 feet.**
6. The existing permitted point of diversion is located within **SW¼ SE¼ Sec. 13 T23S R60E, MDM Clark County Nevada, or at a point from which the SW corner of said Sec. 13, T23S R60E, MDB&M bears S 68° 53' 16" West a distance of 3,110.20 feet.**
7. Proposed place of use **see attached Exhibit "B"**
8. Existing place of use **see attached Exhibit "B", the existing & proposed place of use are one & the same as shown on map V05814**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works **drilled & cased well, underground pipelines, 75hp submersible motor & 11 bowl pump, meter Ser. # 1596429**
12. Estimated cost of works **\$ 60,000.00**
13. Estimated time required to construct works **well completed as described in item # 11 above**
14. Estimated time required to complete the application of water to beneficial use **2 years**
15. Remarks: **The application is to replace application Serial # 70074 filed on June 2, 2003. This temporary permit will be allowed to expire and be combined with Permit # 69302 under a new number.**

Bv

Philip Nelson
s/Philip Nelson
4040 Frehner Road
North Las Vegas, NV 89030

Compared ag/____ag/____

Protested _____

WITHDRAWN BY APPLICANT JUL 15 2004

James H. ... STATE ENGINEER

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This temporary permit to change the point of diversion of a portion of the waters of an underground source as heretofore granted under Proof of Appropriation V05814 is issued subject to the terms and conditions imposed in said Proof of Appropriation V05814 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This temporary permit is issued pursuant to the provisions of NRS 533.345, Section 2 and will expire on **March 4, 2005** at which time all rights herein granted shall revert to the right being changed by this temporary permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed **0.223** cubic feet per second, **but not to exceed 152.5 acre-feet annually.**

Work must be prosecuted with reasonable diligence and be completed on or before:

Proof of completion of work shall be filed on or before:

Water must be placed to beneficial use on or before:

Proof of the application of water to beneficial use shall be filed on or before:

Map in support of proof of beneficial use shall be filed on or before:

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this **5th** day of **March**, A.D. **2004**

Hugh Ricci, P.E.
State Engineer

WITHDRAWN BY APPLICANT

JUL 15 2004

Hugh Ricci, P.E.

STATE ENGINEER

Don

TEMPORARY

7.48. "EXISTING PLACE OF USE..." AS PER ORDER OF
DETERMINATION ON BASE RIGHT V-05814

SECTION	TOWN- SHIP	RANGE	N. E.			N. W.			E. W.			S. E.		
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
SECTION: 12 T. 23 S.	R. 60 E.							20.0	40.0	40.0	20.0	20.0	40.0	40.0
SECTION: 13 T. 23 S.	R. 60 E.		40.0	40.0	40.0	40.0	40.0	40.0	40.0	20.0	40.0	40.0	40.0	20.0
SECTION: 18 T. 23 S.	R. 61 E.								40.0	40.0				150.0

